

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 7439 of 2017**

Smt. Palita Bai Singh W/o Adhin Singh, aged about 35 years, Caste Gond R/o Village Baser - Mahuaari Para, Post Office & Police Station Charcha, District Koriya Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh through the Station House Officer Police Station Charcha, District Koriya, Chhattisgarh.

---- Respondent

For Applicant : Shri Shivendu Pandya, Advocate
 For Respondent/State: Shri Anand Dadariya, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****02/01/2018**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who has been arrested in connection with Crime No. 90/2017 registered at Police Station Charcha, District Koriya (CG) for the offence punishable under Sections 307/325 of IPC. The applicant is in jail since 14.06.2017

2. The case, as per the prosecution, against the applicant is that she is said to have assaulted her mother-in-law Devkunwar, aged about 45 years and pushed her into a well in which she sustained grievous injuries.
3. Counsel for the applicant submits that it is a case where there was a dispute between the applicant and her mother-in-law, the applicant has already remained in custody for a period of more than 6 months and that the applicant being a lady, she may be released on bail. Counsel for the applicant further submits that the injured in the instant case has not received any grievous injury so as to attract the offence under Section 307

of IPC and at best, it could be a case which would fall under Section 324 of IPC. Thus, prayed for the applicant to be released on bail.

4. State counsel, on the contrary, opposing the bail application submits that it is a case where the applicant had intended to kill her mother-in-law and that was the reason she pushed her into the well. Thus, prayed for rejection of the bail application.

5. Having considered the contentions put forth on either side and the fact that the applicant and the complainant are daughter-in-law and mother-in-law and also taking note of the period of custody already undergone, this Court is of the opinion that prima facie, a strong case for grant of bail has been made out.

6. Accordingly, the application for grant of bail is allowed. It is directed that the present Applicant will be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for her appearance before the said Court as and when directed.

**Sd/-
(P. Sam Koshy)
JUDGE**